

Senate Bill No. 113

CHAPTER 273

An act to add Section 44246 to the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 15, 1997. Filed with
Secretary of State August 15, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

SB 113, Lewis. Air pollution: south coast district: school district trip reduction.

(1) Existing law, the Lewis-Presley Air Quality Management Act, establishes the South Coast Air Quality Management District and requires the south coast district to amend a specified rule governing the reduction of mobile source emissions to apply to employers meeting certain employee thresholds and to meet other prescribed requirements.

Existing law provides for the collection of registration fees on motor vehicles, including a \$2 fee, which may be increased to \$4, which may be imposed by the south coast district and used to reduce air pollution from motor vehicles, as specified.

This bill would, until January 1, 2010, or until that south coast district rule governing the reduction of mobile source emissions is repealed, require the south coast district to waive any fee imposed upon a school district for the submission or review of a trip reduction plan or alternative compliance plan. The bill would instead require the south coast district to recover that amount from those vehicle registration fees. By imposing new duties on the south coast district with regard to the use of those fee revenues, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 44246 is added to the Health and Safety Code, to read:

44246. (a) For each school district that is required to submit a trip reduction plan to the south coast district, the south coast district shall waive any fee that would otherwise be imposed for the submission or review of a trip reduction plan or for the submission or review of any alternative compliance plan, and shall instead recover that amount from the funds collected by the south coast district pursuant to Section 44243.

(b) The south coast district shall annually calculate the amount necessary to recover the costs of school district plan reviews, and the Mobile Source Air Pollution Reduction Review Committee shall allocate that amount to the south coast district from the funds collected pursuant to subdivision (c) of Section 44243.

(c) This section shall remain in effect until January 1, 2010, or until south coast district Rule 2202 is repealed in its entirety, whichever first occurs, unless a later enacted statute that is enacted before that date and before south coast district Rule 2202 is repealed, deletes or extends that date.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for this act to take effect before the commencement of the 1997–98 school year, it is necessary that this act take effect immediately.

